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10/576,536	04/19/2006	Juha Karttunen	868A.0074.U1(US)	3744
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Harrington & Smith, Attorneys At Law, LLC 4 Research Drive, Suite 202 Shelton, CT 06484				STONE, ROBERT M
ART UNIT		PAPER NUMBER		
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**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

<b>Office Action Summary</b>	<b>Application No.</b>	<b>Applicant(s)</b>	
	10/576,536	KARTTUNEN, JUHA	
	<b>Examiner</b>	<b>Art Unit</b>	
	ROBERT STONE	2629	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

#### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

#### Status

1) Responsive to communication(s) filed on 21 March 2011.

2a) This action is **FINAL**.                    2b) This action is non-final.

3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

#### Disposition of Claims

4) Claim(s) 1-3,5-17 and 19-22 is/are pending in the application.

4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.

5) Claim(s) \_\_\_\_\_ is/are allowed.

6) Claim(s) 1-3,5-17 and 19-22 is/are rejected.

7) Claim(s) \_\_\_\_\_ is/are objected to.

8) Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

#### Application Papers

9) The specification is objected to by the Examiner.

10) The drawing(s) filed on \_\_\_\_\_ is/are: a) accepted or b) objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

#### Priority under 35 U.S.C. § 119

12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a) All    b) Some \* c) None of:

1. Certified copies of the priority documents have been received.
2. Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

#### Attachment(s)

1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)	4) <input type="checkbox"/> Interview Summary (PTO-413)
2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)	Paper No(s)/Mail Date. _____ .
3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)	5) <input type="checkbox"/> Notice of Informal Patent Application
Paper No(s)/Mail Date _____ .	6) <input type="checkbox"/> Other: _____ .

## DETAILED ACTION

### ***Response to Amendment***

1. The amendment filed on 21 March 2011 has been entered and considered by the examiner.

### ***Claim Rejections - 35 USC § 103***

2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

3. Claim 1-3, 5-15, 17, and 19-22 are rejected under 35 U.S.C. 103(a) as being unpatentable over *Yoshiki* (JP 2003062268) in view of *Yokoi* (US 4,542,903) and *Halo: Combat Evolved* (User's Manual), hereafter referred to as *Halo*.

As to **claim 1**, *Yoshiki* (Figs. 2, 4-7 and 14-17) discloses an apparatus comprising:

a display unit with information-indicating light units (gaming machine with lighting units 30 having LEDs 31 around the border of the display screen);

a controller (CPU21) configured to define control commands on the basis of a display unit application and an instantaneous view shown in the display unit (CPU21 determines a pattern of displayed information [0047] in order to inform the CPU12 how to interact with lighting units 30 [0048,0081]); and

a light driver (CPU12 [0048]) configured to control the information-indicating light units (for controlling the plurality of lighting units 30 containing LEDs 31 [0053]) based on the control commands (CPU12 controls the lighting units 30 according to controls sent from CPU21 [0081]), such that the information-indicating light units are arranged to indicate information concerning a display unit application object (lighting units 30 containing LEDs 31 are controlled by CPU12 to light and indicate an interaction of the display information with the lighting units around the edge of the display by synchronizing the emission of light with the display information [0013,0036,0063, 0081, 0084]) and the light units are located around the display unit (light units 30 containing LEDs 31 are arranged along all four sides of the display 4).

*Yoshiki* does not expressly disclose wherein the apparatus is a portable apparatus.

*Yokoi* discloses providing a compact portable gaming device (abstract; Figs. 1, 2, 3, 8, 20-21).

At the time of invention, it would have been obvious for a person of ordinary skill in the art to have provided a portable version of and/or increased the portability of the gaming device as taught by *Yokoi* in the gaming device of *Yoshiki*. The suggestion/motivation would have been to provide a gaming device that is as compact as possible [col. 1, lines 10-16 and lines 25-26].

*Yoshiki* in view of *Yokoi* does not explicitly disclose the indication of objects located only outside the current view of the display so that there is

formed a visual stimulus that functions as an indication of how the view shown on the display continues outside the view, in the direction of the visual stimulus.

*Halo* (page 13 and page 15) discloses a gaming system with indications at the edges of the display of objects located only outside the current view of the display so that there is formed a visual stimulus that functions as an indication of how the view shown on the display continues outside the view, in the direction of the visual stimulus (the user's/player's in-game screen or HUD has large red warning indicators [I] at the edges of the screen referred to as Direction of Fire Indicators to inform the user of danger which is not currently visible).

At the time of invention, it would have been obvious for a person of ordinary skill in the art to have provided an indication of objects that are not currently in display screen as taught by *Halo* in the gaming device of *Yoshiki* as modified by *Yokoi*. The suggestion/motivation would have been to maintain the user's complete awareness of their surroundings regardless of where they are currently looking including approaching danger to increase in-game lifetime thus increasing game pleasure.

As to **claim 9**, *Yoshiki* discloses a method comprising:  
defining in a controller of a device a control command on the basis of a display unit application and an instantaneous view shown in the display unit in order to control information-indicating light units (controller CPU21 determines commands about display information regarding patterns of current display

information in order to light up lighting units 30 so that they interact with the display information [0048,0063,0081]); and

controlling the information-indicating light units, which are located around the display unit (lighting units 30 containing LEDs 31 are located in the area surrounding the display 4), through a light driver based on the control command defined in the controller (driver CPU12 controls the lighting units 30 according to signals from controller CPU21 [0048, 0081]), such that information concerning a display unit application object of the display unit is indicated by means of the information-indicating light units (lighting units 30 containing LEDs 31 are controlled by CPU12 to light and indicate an interaction of the display information with the lighting units around the edge of the display by synchronizing the emission of light with the display information [0013,0036,0063, 0081, 0084]).

*Yoshiki* does not expressly disclose the device as being portable.

*Yokoi* discloses a portable gaming device (abstract; Figs. 1, 2, 3, 8, 20-21).

At the time of invention, it would have been obvious for a person of ordinary skill in the art to have provided a portable version of and/or increased the portability of the gaming device as taught by *Yokoi* in the gaming device of *Yoshiki*. The suggestion/motivation would have been to provide a gaming device that is as compact as possible [col. 1, lines 10-16 and lines 25-26].

*Yoshiki* in view of *Yokoi* does not explicitly disclose the indication of objects located only outside the current view of the display so that there is

formed a visual stimulus that functions as an indication of how the view shown on the display continues outside the view, in the direction of the visual stimulus.

*Halo* (page 13 and page 15) discloses a gaming system with indications at the edges of the display of objects located only outside the current view of the display so that there is formed a visual stimulus that functions as an indication of how the view shown on the display continues outside the view, in the direction of the visual stimulus (the user's/player's in-game screen or HUD has large red warning indicators [I] at the edges of the screen referred to as Direction of Fire Indicators to inform the user of danger which is not currently visible).

At the time of invention, it would have been obvious for a person of ordinary skill in the art to have provided an indication of objects that are not currently in display screen as taught by *Halo* in the gaming device of *Yoshiki* as modified by *Yokoi*. The suggestion/motivation would have been to maintain the user's complete awareness of their surroundings regardless of where they are currently looking including approaching danger to increase in-game lifetime thus increasing game pleasure.

As to **claim 19**, *Yoshiki* (Figs. 2, 4-7 and 14-17) discloses an apparatus comprising:

a processor (CPU21 and CPU12); and  
memory (ROM22, RAM23, ROM13, RAM14, ROM17a-b, RAM16), the memory configured to, with the processor, cause the apparatus (ROM22 and RAM23 work with CPU21 for overall control of the display and then output

information regarding the display to the LED control portion which has ROM13 and RAM14 working with CPU12 to interpret LED lighting [0047-0051,0055-0076,0079] at least to:

define a controllable light unit group on the basis of information of a display unit application shown in the display unit and the display application object (CPU21 determines a pattern of displayed information [0047] in order to inform the CPU12 how to interact with lighting units 30 [0048,0081]), and;

generate certain control commands on the basis of the information of the display application of the display unit and the display application object in order to control a given light unit group for giving information about the display unit application object (CPU12 generates control commands for the light units based on commands received from CPU21 about display information regarding patterns of current display information and then uses those signals to drive the groups of lighting units 30 indicating display object interaction [0048,0063,0081]) wherein the light units are located around the display unit (light units 30 containing LEDs 31 are arranged along all four sides of the display 4).

*Yoshiki* does not expressly disclose the device as being portable.

*Yokoi* discloses a portable gaming device (abstract; Figs. 1, 2, 3, 8, 20-21).

At the time of invention, it would have been obvious for a person of ordinary skill in the art to have provided a portable version of and/or increased the portability of the gaming device as taught by *Yokoi* in the gaming device of

*Yoshiki*. The suggestion/motivation would have been to provide a gaming device that is as compact as possible [col. 1, lines 10-16 and lines 25-26].

*Yoshiki* in view of *Yokoi* does not explicitly disclose the indication of objects located only outside the current view of the display so that there is formed a visual stimulus that functions as an indication of how the view shown on the display continues outside the view, in the direction of the visual stimulus.

*Halo* (page 13 and page 15) discloses a gaming system with indications at the edges of the display of objects located only outside the current view of the display so that there is formed a visual stimulus that functions as an indication of how the view shown on the display continues outside the view, in the direction of the visual stimulus (the user's/player's in-game screen or HUD has large red warning indicators [I] at the edges of the screen referred to as Direction of Fire Indicators to inform the user of danger which is not currently visible).

At the time of invention, it would have been obvious for a person of ordinary skill in the art to have provided an indication of objects that are not currently in display screen as taught by *Halo* in the gaming device of *Yoshiki* as modified by *Yokoi*. The suggestion/motivation would have been to maintain the user's complete awareness of their surroundings regardless of where they are currently looking including approaching danger to increase in-game lifetime thus increasing game pleasure.

As to **claim 2**, *Yoshiki* discloses a controller (CPU12) for generating control commands for the light units on the basis of the information transmitted

by a display driver, to the light driver (CPU12 generates control commands for the light units based on commands received from CPU21 about display information regarding patterns of current display information and then uses those signals to drive the lighting units 30 [0048,0063,0081]).

As to **claim 3**, *Yoshiki* (Figs. 2, 4-7 and 14-17) discloses wherein in the surroundings of the display unit, there are at least two light units or light unit groups formed of single light units (multiple light units 30 containing LEDs 31 surround display screen 4 and can be controlled individually or in groups depending on the commands sent by CPU12 according to a pattern determined by CPU21 [0053, 0055, 0057, 0081]), placed so that the light units are arranged at an angle of 90 degrees with respect to each other (light units 30 containing LEDs 31 are arranged along all four sides of the display 4, thus each side is rotated 90 degrees from an adjacent side).

As to **claim 5**, *Yoshiki* discloses the light driver (CPU12 [0048]) configured to control the light units or the light unit groups formed of single light units (driver controls multiple light units 30 containing LEDs 31 that surround display screen 4 and can be controlled individually or in groups depending on the commands sent by CPU12 according to a pattern determined by CPU21 [0053, 0055, 0057, 0081]).

As to **claim 6**, *Yoshiki* (Figs. 2, 4-7 and 14-17) discloses the controller and the light driver configured to control the light units according to the application shown in the display unit (emission of lighting units 30 is controlled by the light

driver CPU12 according to driving signals, determined according to recognized patterns by CPU21, in order to synchronize the emission of light with the display information [0013,0036,0063, 0081, 0084]).

As to **claim 7**, *Yoshiki* discloses the controller configured to define the control commands of the light units to synchronize the light units with respect to the view (emission of lighting units 30 is controlled by the light driver CPU12 according to driving signals, determined according to recognized patterns by CPU21, in order to synchronize the emission of light with the display information [0013,0036,0063, 0081, 0084]).

As to **claim 8**, *Yoshiki* discloses the light driver configured to control the functions and properties of the light units according to the control commands generated by the controller (light driver CPU12 controls the driving of lighting units 30 based on signals from controller CPU21 [0048,0081]).

As to **claim 10**, *Yoshiki* discloses in the controller, there are generated functional commands to a light driver (emission of lighting units 30 is controlled by the light driver CPU12 according to driving signals, determined according to recognized patterns by controller CPU21 [0013,0036,0063, 0081, 0084]) in order to control the light units on the basis of the information of the view in the display unit (order to synchronize the emission of light with the display information [0013,0036,0063, 0081, 0084]), transmitted by a display driver and the application of the display unit (the functional commands are transmitted by

display driving controller CPU21 based on patterns recognized in the current application of the display unit).

As to **claim 11**, *Yoshiki* (Figs. 2, 4-7 and 14-17) discloses that the light units are arranged in the surroundings of the display unit (light units 30 containing LEDs 31 are arranged along all four sides of the display 4), at an angle of 90 degrees with respect to each other (light units 30 containing LEDs 31 are arranged along all four sides of the display 4, thus each side is rotated 90 degrees from an adjacent side), in order to indicate the direction, with respect to the view shown in the display unit, by the light units (lighting units 30 according to interactions from displayed objects and the directions in which they interact with the edge of the display where the lighting units are located; see the figure shooting at the edge of the screen and the man jumping where the lighting units indicate the direction of interaction).

As to **claim 12**, *Yoshiki* discloses that the light units are arranged in light unit groups, which are separately controlled by the light driver (multiple light units 30 containing LEDs 31 that surround display screen 4 can be controlled individually or in groups depending on the commands sent by CPU12 according to a pattern determined by CPU21 [0053, 0055, 0057, 0081]).

As to **claim 13**, *Yoshiki* discloses that in the display unit, there are shown objects under observation (characters in Figs. 4-7 and 14-17 [0036, 0089]), and simultaneously the light units controlled by the light driver are used for generating information in the view of the display (emission of lighting units 30 is controlled by

the light driver CPU12 according to driving signals, determined according to recognized patterns by CPU21, in order to synchronize the emission of light with the display information [0013,0036,0063, 0081, 0084].

As to **claim 14**, *Yoshiki* (Figs. 4-7 and 14-17) discloses that the approaching of an object located inside the view of the display unit to the area of the view shown outside the display unit is indicated by generating in the light driver a sense stimulus by the light units that are located in the same direction with respect to the view as the display unit application object in question (characters within the display attempt to interact with an area outside the display screen 4 and lighting units 30 at the location of the attempted interaction light up indicating the direction of movement).

*Halo* discloses indicating the direction of approaching objects located outside the current view of the display that are approaching an area inside the current view of the display (the user's/player's in-game screen or HUD has large red warning indicators [I] at the edges of the screen referred to as Direction of Fire Indicators to inform the user of the direction of incoming projectiles hitting the user and thus approaching the user's area from an area outside the current view of the display).

As to **claim 15**, *Yoshiki* (Figs. 4-7 and 14-17) discloses that the light driver is used for controlling a controllable light unit group (multiple light units 30 containing LEDs 31 surround display screen 4 and can be controlled individually or in groups depending on the commands sent by CPU12 according to a pattern

determined by CPU21 [0053, 0055, 0057, 0081]), located in a given direction with respect to the view of the display unit (light groups are controlled according to the direction of interaction with the edge of the display [0089-0092]), so that the intensity of the light units is increased as the display unit application object approaches the display unit (lighting units 30 change from off to on when the object interacts with the edge).

As to **claim 17**, *Yoshiki* (Figs. 4-7 and 14-17) discloses that in the display application shown in the view, the display objects interaction activates the controllable light unit group located in the direction of interaction by the light driver in a given way defined in the application (driver CPU12 controls lighting units 30 [0048,0081] according to interactions from displayed objects and the directions in which they interact with the edge of the display where the lighting units are located; see the figure shooting at the edge of the screen and the man jumping where the lighting units indicate the direction of interaction).

*Yoshiki* in view of *Yokoi* does not expressly disclose indicating the direction of a searched target located outside the current view.

*Halo* (page 13 and page 15) discloses indicating the direction of a searched target located outside the current view (a motion tracking radar located in the bottom left of the user's in-game HUD displays characters and vehicles in motion relative to the user's current position in a 360 degree range far outside the scope of the current view).

At the time of invention, it would have been obvious for a person of ordinary skill in the art to have indicated the direction of a searched target located outside the current view taught by *Halo* in the gaming device of *Yoshiki* as modified by *Yokoi*. The suggestion/motivation would have been to provide the user with information about approaching opponents preventing surprise or provide the user the opportunity to track and defeat the opponent.

As to claims **20, 21, and 22**, *Yoshiki* (Figs. 4-7 and 14-17) discloses wherein the light units are light emitting diodes or organic light emitting devices (lighting units 30 contain plural LEDs 31 [0053]).

4. Claim 16 is rejected under 35 U.S.C. 103(a) as being unpatentable over *Yoshiki* (JP 2003062268) in view of *Yokoi* (US 4,542,903), *Halo: Combat Evolved* (User's Manual), hereafter referred to as *Halo*, and *Kawai* (US 20040229691).

*Yoshiki* discloses that the threatening factors of a game application represented in the view are indicated by adjusting the controllable light unit group that is located in the direction of the threatening factor with respect to the view by the light driver by emitting a given wavelength of light (controllable light units 30 are activated in Fig. 14 on the edge in the direction of the game threatening factors (bullets) emitting light of a certain wavelength (color)), and that the controllable light groups are arranged in multiple wavelengths (different colors) around the edge [0053].

*Yoshiki* in view of *Yokoi* and *Halo* does not expressly disclose indicating possible proceeding directions in the direction to proceed.

*Kawai* discloses an electronic game indicating possible proceeding directions to the user in the direction to proceed (Figs. 5-28; [0102,0110])

At the time of invention, it would have been obvious for a person of ordinary skill in the art to have indicated the direction to proceed to the user as taught by *Kawai* in the gaming device of *Yoshiki* as modified by *Yokoi* and *Hal*. The suggestion/motivation would have been to prevent confusion and increase the pleasure of the game by increasing user's focus and chance of survival.

### ***Response to Arguments***

5. Applicant's arguments filed 16 July 2010 have been fully considered but they are not persuasive.
  - a. Regarding claims 1, 9, and 19, Applicant submits that the gaming device of *Yoshiki* is not of such nature that a skilled person would not have applied the teachings of *Yokoi* for making video game devices more portable. Examiner respectfully disagrees. *Yoshiki* NEVER discloses that the gaming machine cannot be portable nor imply that gaming devices of its nature cannot be portable. As can be easily appreciated, many games are being converted to compact/portable devices that users can carry to maximize the time they are able to enjoy the game and provide mobile entertainment. Thus, in view of the portable gaming device of *Yokoi* (abstract; Figs. 1, 2, 3, 8, 20-21), it would have been clear to one of ordinary skill to reduce the size of the display and proportionally the lighting units as shown in Fig. 14 of *Yoshiki* to that of a portable

size such as *Yokoi* thus providing a very compact portable solution [col. 1, lines 10-16 and lines 25-26] to maximize the amount of time and ease of use thus maximizing user enjoyment.

6. Although Examiner has relied upon new reference *Halo* as disclosing a gaming system with multiple external indicators to indicate objects located only outside the current view of the display so that there is formed a visual stimulus that functions as an indication of how the view shown on the display continues outside the view, in the direction of the visual stimulus (see rejection of newly amended independent claims above); Examiner is in no way agreeing to Applicant's arguments regarding *Crudgington* and the reference may be relied upon later.

### ***Conclusion***

7. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure:

- a. *Buscemi* (US 2003/0201906) discloses directional warning indicators around the edges of a mirror to warn the user when emergency vehicles are approaching and from which side.
- b. Asdf

8. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to ROBERT STONE whose telephone number is (571)270-5310. The examiner can normally be reached on Monday-Friday 9 A.M. - 4:30 P.M. E.S.T. (alternate Fridays off).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Chanh D. Nguyen can be reached on (571)272-7772. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Robert M Stone/  
Examiner, Art Unit 2629

/CHANH NGUYEN/  
Supervisory Patent Examiner, Art  
Unit 2629

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